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|---|--|------------------------------------|--|---|--|---|--|
| AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | | | | 1. CONTRACT ID CODE | | PAGE 1 OF 10 PAGES | |
| 2. AMENDMENT/MODIFICATION NO. 0008 | | 3. EFFECTIVE DATE See Block 16C | | 4. REQUISITION/PURCHASE REQ. NO. P-4-P2-63-FM-A00 000 | | 5. PROJECT NO. (If applicable) | |
| 6. ISSUED BY INTERNAL REVENUE SERVICE Southeast Procurement Branch (A:P:F:SE) 2888 Woodcock Blvd Suite 300 Atlanta, GA 30341 Charisse Jackson 404-338-9220 | | CODE IRS0010 | | 7. ADMINISTERED BY (If other than Item 6) See Item 6 | | CODE | |
| 8. NAME AND ADDRESS OF CONTRACTOR (No. Street, county, State and ZIP: Code) TO ALL OFFERORS Vendor ID: 00055905 | | | | (x) | | 9A. AMENDMENT OF SOLICITATION NO. TIRSE-03-R-00002 | |
| | | | | X | | 9B. DATED (SEE ITEM 11) 02/25/2004 | |
| | | | | | | 10A. MODIFICATION OF CONTRACT/ORDER NO. | |
| | | | | | | 10B. DATED (SEE ITEM 13) | |
| CODE | | FACILITY CODE | | | | | |

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☒ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☒ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning ___1___ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATA SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and data specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

| | |
|-----|---|
| (x) | A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A. |
| | B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b). |
| | C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: |
| | D. OTHER Specify type of modification and authority) |

E. IMPORTANT: Contractor ☐ is not, ☐ is required to sign this document and return ___ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

See Continuation Sheet

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

| | | | |
|---|------------------|---|------------------|
| 15A. NAME AND TITLE OF SIGNER (Type or print) | | 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Charisse Jackson, Contracting Officer | |
| 15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign) | 15C. DATE SIGNED | 16B. UNITED STATES OF AMERICA BY _____ (Signature of Contracting Officer) | 16C. DATE SIGNED |

SF30 CONTINUATION SHEET

Amendment 0008 to TIRSE-03-R-00002 is issued to:

- A. Revise block 9 of SF33 to change the proposal due date to March 9, 2004;
- B. Make revisions to Section B as follows:
 - 1. Revised paragraph B.1 to reflect an anticipated effective date through September 30, 2005 and a total of 60 months of service; and
 - 2. Revised the periods of performance in Section B, Price Schedule.
- C. Make revisions to Section C based on questions from industry and responses contained in paragraphs below (respective responses will specify any changes made);
- D. Revise paragraph F.3 to update the anticipated contract term;
- E. Add paragraph H.16, Small Disadvantaged Business (SDB) Participation
- F. Include a percentage in paragraph I-13, FAR clause 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Business Concerns;
- G. Revise Section J as follows:
 - 1. Updated the Table of Contents to add Exhibits 5 and 6; and
 - 2. Added Exhibits 5 & 6
- H. Make changes to Section L as follows:
 - 1. Added "Part V" to paragraph L.17.1;
 - 2. Added paragraphs L.17.1e, L.17.2.B.7(c)(8), L.17.2.E Small Disadvantaged Business (SDB) Participation;
 - 3. Revised paragraph L.17.2.B.7(b)(1); and
 - 4. Added paragraph 9, SDB Participation, to paragraph L.18;
- I. Revise Section M as follows:
 - 1. Revised paragraph M.3 to include information with regard to the SDB participation sub-criteria;
 - 2. Revised paragraph M.4 to add SDB Participation as a sub-criteria under the technical criteria "Plan of Accomplishment"; and
 - 3. Revised the periods of performance and the estimated quantity for the base year in the Pricing Evaluation Model (PEM);
- J. Add Dates of Hire of incumbent contractor personnel as Attachment 1 to this Amendment; and
- K. Respond to questions from industry.

Updates that include revisions and replacements as a result of this amendment have been made in the solicitation and are indicated in italicized, red font as appropriate. These updates may be accessed/obtained by clicking on the appropriate link on the web page containing this amendment.

Questions and responses are as follows:

1. Are the Console Operators armed?

RESPONSE: All Security Officers are armed.

2. Reference ATF certification. Does the ATF certification only pertain to an ATF License to possess Explosives?

RESPONSE: The requirement for ATF certification has been deleted. Paragraph C.5.3 has been revised, and Section J, Exhibits 5 and 6 have been added. Please see the revised paragraph C.5.3 and Section J, Exhibits 5 and 6.

3. Will the IRS consider revising the requirement in a manner similar to the method employed in TIRSE-02-R-00008?

RESPONSE: Paragraph C.5.3 has been revised as appropriate. Please refer to response 2 above.

4. Is the intention of the IRS to provide the 2.5 weeks of ATF training and certification, as indicated in Sol. Section C.5.3.g.1, -g.2, and -g.3?

RESPONSE: The requirement for ATF certification has been deleted. Paragraph C.5.3 has been revised. Please refer to response 2 above.

5. C.5.3 K-9 Explosive Detection (Page C-25)

g. K-9 Handler Training and Certifications

(1) General

In addition to requirements set forth in the contract agreement, all K-9 Handlers shall be certified in accordance with ATF Standards.

Per the ATF Website, ATF Standards will not be divulged to private companies, but only to government or law enforcement agencies.

QUESTION: Based on ATF policies will this item be deleted?

RESPONSE: The ATF standard has been deleted. Paragraph C.5.3 has been revised. Please refer to response 2 above.

6. C.5.3h K-9 Training and Certifications (Page C-26)

(2) K-9 Certification

ATF Certified Explosive Detection K-9s must be a graduate of ATF's 2.5-week explosive detection training program. All K-9s must meet the Odor Recognition Proficiency Standards for Explosives Detection K-9s as determined by the Bureau of Alcohol, Tobacco and Firearms.

ATF's Canine Training Center is located in Front Royal, Virginia and began training explosive detection teams for State, Local and other Federal agencies in 1997. This training is 10 week's duration and is not available to non-government agencies.

The Department of the Treasury's Odor Recognition Proficiency Standard for Explosives Detection Canines (99R-235P) per Bureau of Alcohol, Tobacco and Firearms Notice No. 878 is available only to law enforcement or government agencies.

QUESTION: Based on ATF policies will this item be deleted?

RESPONSE: Paragraph C.5.3 has been revised. Please refer to response 2 above.

7. C.5.3.i Maintenance of K-9s (Page C-26)

(6) Maintaining environmentally controlled vehicle equipped with kennel or cage for efficiently and safely transporting K-9s.

a. " Does this paragraph require an exclusive K-9 Program vehicle?

RESPONSE: This paragraph does not specifically require an exclusive K-9 Program vehicle. See vehicle requirements in C.5.2 for required vehicle usage. The methodology used for transport of K-9s is the contractor's prerogative/discretion, as long as the requirements in C.5.2 and C.5.3 are met.

8. Paragraph C.5.6.C. The RFP does not clarify pre-hire and annual training requirements, other than 16 hours for new console officers. Can you verify the following to be correct? Are there specific subjects identified by IRS to be included?

| | |
|-------------|--|
| New Hire: | 12 hours state required armed security training |
| | 8 hours "subjects specified" (None were specified in RFP) |
| | 16 hours for console operators |
| Annual | 12 hours (8 hours facility and 4 refresher) Does IRS give facilities training to all officers each year? |
| Supervisory | ? Hours |

RESPONSE: The correct training requirements are:

New Hire:

- a. 16 hours state required armed security training
- b. 8 hours "subjects specified" in C.5.6 (h)
- c. 16 hours for console operator training, provided by the IRS
- d. 8 hours of facility training, IRS provided C.5.6 e
- e. First Aid, CPR and AED training, American Red Cross standard and Certification required (C.5.6. f)
- f. Additional training requirements are found in C.5.6 h and cover Small unit Combat/Tactical Training for all security officers and supervisors, First Responder and Crisis Management Training for Supervisors and Project Managers

Annual/Refresher Training to be given and/or taken as required by the state of Tennessee, the IRS and the American Red Cross to maintain work permits and certification.

Supervisor Training (outlined in C.5.6 g); and

The State of Tennessee, Department of Commerce & Insurance required training

Subsection C.5.6 has been revised accordingly.

9. Reference Page C-31, paragraph C.5.6(c): Are the "8 hours of training provided by the contractor, on the subjects specified prior to being assigned to perform contract services" those training requirements specified in paragraph C.5.6.h? If not, please provide the required subjects.

RESPONSE: Yes, C.5.6 (h) lists the specific 8 hours of training that is required in C.5.6(c). Please refer to response 8 above.

10. In order to identify the requirement for the Shelby County Firearm Permit referenced in RFP Section C.5.7.2(b), (this vendor) has been in touch with the Shelby County Sheriff's Department, the Tennessee Private Protective Service Department, and the Department of Safety, Handgun Permit Section. These contacts indicate that the only licensing requirement for security officers in the State of Tennessee, armed or unarmed, is that they meet the requirements as defined by Title 62, Chapter 35, of the Tennessee Private Protective Services Law.

House Bill 1828/Senate Bill 1878 Regarding Required Written Directives for Armed Security Officers - Removes the requirement that armed private security guards/officers must obtain written directive from the chief law enforcement officer in the county in which they operate. - *Amends T.C.A. Title 62, Chapter 35, Part 1.*

Can you confirm that Title 62, Chapter 35, of the Tennessee Private Protective Services

Law is the only requirement?

RESPONSE: We are not in the position to confirm the outcome of the aforementioned bills and how they affect T.C.A. Title 62, Chapter 35. However, Title 62, Chapter 35 of Tennessee Private Protective Services Law does specify the State of Tennessee's requirements for Private Security Guards/Officers. As this question relates to C.5.7 2(b), Shelby County permits, of this solicitation, the county currently only requires that private security guards/officers meet all of the requirements found in Title 62, Chapter 35; at this time, there are no additional Shelby County requirements.

11. Section I, I-13 52.219-23 Notice of Price Evaluation adjustment of Small Disadvantaged Business concerns. No adjustment percentage is listed in subparagraph (b). What is the adjustment percentage? Also, if an 8-A company bids, does the 8-A receive a percentage increase in its technical evaluation points if it waives the priced adjustment? If it does not waive the price adjustment, is its price "reduced" by the percentage for evaluation purposes?

RESPONSE: The price evaluation adjustment is 10%. FAR clause 52.219-23 has been corrected to reflect the 10% adjustment. If an 8(a) company bids as a prime contractor under a full and open competition with the small disadvantaged business price evaluation adjustment and price evaluation preference included in the RFP, an 8(a) must first demonstrate that they are a responsible and responsive offeror performing 51% or more of the work. Once that determination has been made, the 8(a) would receive credit for targets for SDB participation as described in Section M, Evaluation Factors if it waives the price evaluation adjustment. If the 8(a) does not waive the price evaluation adjustment, the Contracting Officer, as described in FAR clause 52.219-23, "...would add the percentage factor to all other offerors, except...". Paragraphs L.17.1.e, L.17.2.B.7(c)(8), L.17.2.E, and L.18.9 have been added to the solicitation to provide detailed information with respect to targets for Small Disadvantaged Business (SDB) Participation. Paragraphs M.3 and M.4 have been revised to add information and include SDB Participation as a sub-criteria of the technical criteria "Plan of Accomplishment".

12. The pricing evaluation model (PEM) for the base period on Page M-3 somewhat matches the productive hours noted on Exhibit 2, Page J-9. However, the PEM for the option periods are substantially less doing the same comparison. Should the Exhibit 2 staffing schedule (which is larger) be utilized for determining the total anticipated productive hours for the option periods?

RESPONSE: Exhibit 2 is an estimate only of an anticipated standard workweek during peak periods and does not represent weeks that may have holidays or other days of heightened or reduced guard service. As specified in paragraph M.5, the Pricing Evaluation Model (PEM) will be used for evaluation purposes only.

13. May criteria's outlined in Section J, Exhibit 3, Attachment 6, be waived or modified to afford a Small, Disadvantaged, Woman/Veteran Owned Business an opportunity to

compete as a "Primary Offeror" in this Contract endeavor?

RESPONSE: There will be no waiver to the performance requirements of the solicitation. Section J, Exhibit 23 is a table that contains required services specified in the solicitation, to which offerors are to indicate the portion of required service to the total contract price. Attachment 6 is a questionnaire to be forwarded to previous/current clients of offerors for completion and submission to the Contracting Officer. Please note, as specified in paragraph L.17.2.B.7(a)(3), in offeror without a record of relevant past performance or from whom information on past performance is not available (including information pertaining to predecessor companies, key personnel, or subcontractors that is relevant to the acquisition), the offeror will not be evaluated favorably or unfavorably on past performance.

14. The response to Question No. 5 in Bid Amendment No. 1 clarified that Security Officers are considered to be "key personnel," but offerors are not required to submit resumes for these personnel. The response goes on to say ... *"Offerors shall provide proof of qualifications and employment suitability of proposed Security Officers."* and that RFP Paragraph L.17.2.b has been revised to clarify this issue.

The revised RFP Paragraph L.17.2.b.(1) requires offerors to ... *"Provide proof of qualifications and employment suitability, as specified in paragraph C.1.7b, for proposed Security Officers."*

RFP Paragraph C.1.7b, b. Qualifications and Employment Suitability, defines requirements to be satisfied by the successful contractor prior to assignment to the performance of contract services.

a. As both the response to Question No. 5 in Bid Amendment No. 1 and the revised RFP Paragraph L.17.2.b.(1) appear to require vendors to *"provide proof of qualifications and employment suitability of proposed Security Officers,"* please clarify what information is required, if any, in our submittal regarding the qualifications and employment suitability of proposed Security Officers.

RESPONSE: The contractor shall submit any documentation it has that demonstrates its Security Officers meet the qualifications and employment suitability specified in paragraph C.1.7b. This documentation should be provided within 10 days after contract award. Paragraph L.17.2B.7(b)(1) has been revised accordingly.

b. If it is your intent that we provide ... *"proof of qualifications and employment suitability of proposed Security Officers"* in our submittal, and, since we were requested at the pre-bid meeting to not contact incumbent contractor security officers: (a) Would you provide contact information for the incumbent contractor security officers so we can contact them after normal working hours to support preparation of our submittal, or (b) Is it your intent that the incumbent contractor security officers are to be replaced, as no one other than the incumbent contractor would be able to provide the required information in their submittal?

RESPONSE: (a) It is the offerors responsibility to conduct its recruiting efforts to obtain personnel to perform contract services. Please note response 14a above. (b) The Government has no intent one way or the other with respect to replacement of incumbent contractor personnel.

15. Reference Answer to Question #1 from Amendment 1 - *“Resumes are required for the Project Manager, Supervisors, and K-9 Handlers.”* - Are the resumes of the Project Manager, Supervisors, and K-9 Handlers required to be submitted with the vendor’s proposal or is the resume of the Project Manager submitted with the proposal and the resumes of the Supervisors and K-9 Handlers submitted to the CO after contract award?

RESPONSE: Offerors shall submit the resume of the Project Manager with its proposal. Resumes of other key personnel, other than Security Officers, shall be submitted no later than 10 days after contract award and prior to each key personnel beginning work at the MIRSC, subject to IRS acceptance of that employee. Paragraph L.17.2.B7(b)(1) has been revised to incorporate this change to the requirement.

16. Should the fully loaded labor rates for LABOR items (including K-9 teams) identified in Section B tie back to those loaded rates listed in the Section B CLIN Price Schedule? This would cause the various training costs and ODCs to be forced to be categorized as overhead. Is it the intent to show only the cost buildup on raw labor, in which case the fully loaded rates will NOT equal those in Section B?

RESPONSE: In the example you have provided, you would fill out the table for labor and note separately the cost of ODC's such as the training costs.

17. Ref. Section L.17.2.C (pg. L-17) – Part III-Price Proposal Special Instructions and Section L.5 52.216-1 (pg. L-6) – Type of Contract (Apr 1984).

(a) Why is there a requirement to provide a Breakdown of Fully Loaded Labor Rates Spreadsheet if this is a Fixed Price Type Contract with adequate competition?

RESPONSE: The solicitation contains the requirement for a breakdown of fully loaded labor rates in order that we may establish a baseline in the event of future requests for price adjustments due to wage determination revisions.

(b) How would you evaluate a Vendors Proposal if a Vendor took an exception to the Spreadsheet because it’s not a requirement in a Fixed Price contract as contemplated by this solicitation?

RESPONSE: In order to insure that the wage determination minimum hourly rate has been properly applied in the option years the breakdown of fully loaded labor rates is necessary. This information is also helpful in establishing price reasonableness. The information provided in the pricing evaluation model and the Section B Price Schedule

would be the basis of the evaluation.

18. Also, getting back to my previous question on FCCOM, would payroll taxes and insurance go in that column?

RESPONSE: You would not put payroll taxes and insurance in this column. FCCOM is a charge on some DCAA approved accounting systems which is a charge for recovering interest on money borrowed on large federal contracts where significant dollars were spent up front by the contractor. For guard services this would probably not be applicable.

19. *Reference PEM CLIN 0001 hours of 26,874 for Security Officer on Page M-3 - Shouldn't this LOE be 4/12 of Option year or (21,874) to reflect 4 months?*

RESPONSE: The PEM has been revised to reflect the revised anticipated period of performance. Refer to paragraphs B, and D above of this amendment.

20. When including amendments in the proposal are we required to include all the attachments that came with it, or can we just include the SF 30?

RESPONSE: You are required to provide only the amendments (SF30) – not the attachments.

21. Can IRS provide a generic seniority list that lists date of hire for officers and supervisors currently working the site in order to determine appropriate vacation entitlements?

RESPONSE: The incumbent contractor has provided the dates of hire at Attachment 1 to this amendment.

January 29, 2004

Re: Seniority Listing of Memphis Service Center

The following are the hire dates of current full and part time personnel assigned to the Memphis Service Center:

| | | | | | |
|----------|----------|----------|----------|----------|----------|
| 11/05/97 | 04/06/00 | 04/09/92 | 04/15/99 | 09/25/03 | 08/28/02 |
| 11/04/02 | 02/28/95 | 03/18/02 | 05/16/02 | 02/15/97 | 02/15/97 |
| 04/01/99 | 10/04/95 | 03/09/00 | 03/10/95 | 02/21/00 | 03/08/00 |
| 12/17/03 | 02/07/96 | 12/01/98 | 12/26/03 | 01/31/00 | 02/19/02 |
| 12/24/97 | 03/13/00 | 06/06/96 | 08/05/03 | 11/08/02 | 10/27/01 |
| 05/01/01 | 12/09/97 | 02/08/99 | 02/08/99 | 05/04/92 | 08/22/00 |
| 04/10/97 | 08/07/96 | 02/03/98 | 02/07/96 | 12/09/88 | 03/13/00 |
| 09/25/01 | 06/07/97 | 02/01/99 | 08/18/96 | 05/22/96 | 02/06/96 |
| 12/31/00 | 07/25/96 | 03/29/96 | 09/23/00 | 12/15/81 | 06/02/03 |
| 03/17/03 | 12/14/99 | | | | |